

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NANCY DREW SUDERS,	:	CIVIL NO. 1:CV-00-1655
PLAINTIFF	:	
	:	(JUDGE RAMBO)
V.	:	
	:	(ELECTRONICALLY FILED)
ERIC D. EASTON, WILLIAM D.	:	
BAKER, ERIC B. PRENDERGAST,	:	
VIRGINIA SMITH ELLIOTT and THE	:	
PENNSYLVANIA STATE POLICE,	:	
DEFENDANTS	:	

VIOR DIRE OF THE PLAINTIFF, NANCY SUDERS

Samuel C. Stretton, Esquire, the attorney for the Plaintiff, Nancy Suders, respectfully asks this Honorable Court to ask the following Voir Dire questions to the potential members of the jury panel:

1. Nancy Suders alleges sexual harassment and discrimination while she was an employee of the Pennsylvania State Police as a Police Communication Officer. She alleges that the defendants subjected her to sexual harassment that ceased only when she was forced to resign. Is there anything about the nature of these allegations that would prevent you from being a fair and impartial juror?

2. This case is brought pursuant to Title VII of the Civil Rights Act of 1964, which is the vehicle for cases alleging sexual harassment. Is there anything about the nature of this type of lawsuit that would prevent any potential member of this jury panel from being fair and impartial?

3. Has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever been the victim of sexual harassment in either an employment situation or any other type of situation, or been accused of sexual harassing a person or persons? If so, please state the nature of the allegations and whether that would prevent you from being a fair and impartial juror.

4. Has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever been sued in civil litigation, particularly involving harassment or discrimination, or has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever sued anyone for harassment, discrimination or sexual discrimination? If so, please state the nature of the suit and please state whether that would prevent you from being a fair and impartial juror.

5. The Defendants are members of the Pennsylvania State Police. Has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever been employed as a police officer or law enforcement officer in any capacity? If so, please state the nature of the employment and please state whether or not that would prevent you from being a fair and impartial juror.

6. Does any potential member of this jury panel give more credibility to a person who is employed by the Pennsylvania State Police or employed as a police officer than they would give to a lay witness solely because of the employment as a police officer? If so, please raise your hand.

7. Does any potential member of this jury panel have any preconceived notions that one should not be compensated for violations of Title VII involving sexual harassment and/or discrimination in the work place? If so, please state your concerns.

8. Has any potential member of this jury panel previously served on any jury panel, either civil or criminal? If so, please state whether a verdict was reached and if anything occurred during the course of the trial that would prevent you from being fair and impartial?

9. The Plaintiffs in this case are seeking damages due to the alleged misconduct of the Defendants. Is there any potential member of this jury panel who, for any reason, would not be able to fairly and impartially evaluate the appropriate damages, and is there any potential juror who could not follow the judge's instructions on damages? If so, please state why.

10. The Plaintiff is also seeking punitive damages. Is there any juror who has any reservation or hesitation about

imposing punitive damages in an appropriate case? If so, please state the nature of your reservations.

11. The Plaintiff is represented by Attorney Samuel C. Stretton and Attorney Donald Bailey. Samuel Stretton will actually try the case. Does any potential member of this jury panel know attorney Stretton or Attorney Bailey, or has any potential juror ever been represented by either attorney or have a family member or close friend who was represented by either attorney? If so, please state the relationship.

12. The Defendants are represented by the Attorney General's Office of Pennsylvania by Attorney Sarah Yerger and other members of her office. Has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever sought the advice or assistance of the Pennsylvania Attorney General's Office or Ms. Yerger or any other attorneys associated with her? If so, please state the contact and whether or not that would prevent you from being a fair and impartial witness.

13. Has any potential member of this jury panel or any family member or close friend of any potential member of this jury panel ever been a witness called by the Attorney General's Office or the Pennsylvania State Police or the local District Attorney's Office? If so, please state when and the nature of

the testimony and whether or not that would prevent you from being a fair and impartial juror in this case.

14. The following persons will be potentially referenced or called as witnesses during the trial. Please state whether you know any of these people and whether that would prevent you from being fair and impartial:

- (a) Nancy Drew Suders, the Plaintiff
- (b) Morris L. Suders, Jr.
- (c) Bruce Campbell, Pennsylvania State Police Trooper
Newville Barracks
- (d) Paul D. Weachter
- (e) Jodi Lancaster
c/o Pennsylvania State Police
- (f) William Baker
c/o Pennsylvania State Police
- (g) Eric Easton
c/o Pennsylvania State Police
- (h) Eric B. Prendergast
c/o Pennsylvania State Police
- (i) Virginia Smith Elliott
c/o Pennsylvania State Police
- (j) Mikeal Fix
- (k) Christine Davis
- (l) Sheriff Jim Pittman
Fulton County Sheriff
- (m) Patty Suders Fix
- (n) District Justice Brenda Knepper

- (o) Senator Robert Jubelirer
- (p) William Kischer, Jr.
- (q) Bonnie Keefer
- (r) Sheriff Robert Albright
- (s) James R. Butts
- (t) Jim Butts
Former President of the Union
- (u) Nina Mellott
Secretary of the Union
- (v) Wayne Dowling
c/o Pennsylvania State Police
- (w) Major Rick Brown
c/o Pennsylvania State Police
- (x) Dwight Harvey
District Attorney of Fulton County
- (y) Helen D. Litko
c/o Pennsylvania State Police
- (z) Robert Albright
- (aa) Sheriff Dill
Bedford County, Pennsylvania
- (bb) Betsy Linaberger
Deputy Director for Operations
Pennsylvania State Police
- (cc) Commissioner Miller
c/o Pennsylvania State Police
- (dd) Commissioner Evanko
c/o Pennsylvania State Police
- (ee) Lisa A. Ritter, P.C.

15. The Defendants may also call the following witness during the trial. Please state if you know any of these witnesses and if that would prevent you from being a fair and impartial juror.

- (a) William Baker, Defendant
- (b) Ellis Barnett
- (c) Bruce Campbell
- (d) Brent Culler
- (e) Richard Cutchall
- (f) Carl Dixon
- (g) Eric Easton, Defendant
- (h) Gregory Edgin
- (i) Michael Hetrick
- (j) Sean Flaherty
- (k) Stacey Gelvin
- (l) Rodney Heming
- (m) Joseph Holmberg
- (n) Steven Kagarise
- (o) Jody Lancaster
- (p) Helen Lipko
- (q) Vicki Marrone
- (r) Roger Sheffield
- (s) Paul McMullin
- (t) Troy Park

(u) Eric Prendergast, Defendant

(v) Robert Reed

(w) John Sechoka

(x) Virginia Smith, Defendant

(y) Robert Strait

(z) Jina Wingard

(aa) Randy Zimmerman

16. Has any potential member of this jury panel heard or read anything about this case in any newspaper, on the computer or on the radio or television? If so, please state what you have heard and if that would prevent you from being a fair and impartial juror.

17. Is there any potential juror who could not follow the instructions on the law of Judge Rambo on this case both on the issue of responsibility and on the issue of damages?

18. Does any potential juror have a hardship that would prevent them from sitting and hearing this case, which will last approximately one and a half weeks?

19. Is there any potential juror who has any reason that would prevent them from being a fair and impartial juror in this particular case?

Respectfully submitted,

s/Samuel C. Stretton
Samuel C. Stretton, Esquire
Attorney for Plaintiff
301 South High Street
P.O. Box 3231
West Chester, PA 19381-3231
(610) 696-4243
Attorney I.D. No. 18491

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CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the
Plaintiff's Proposed Voir Dire in the captioned matter, upon the
following persons in the manner indicated below.

Service by First Class Mail addressed as follows:

1. Sarah Yerger, Esquire
Senior Attorney General
Attorney General's Office
15th Floor Strawberry Square
Harrisburg, PA 17120
2. Donald Bailey, Esquire
4311 North Sixth Street
Harrisburg, PA 17110

02/16/05
Date

Respectfully submitted,
s/Samuel C. Stretton
Samuel C. Stretton, Esquire
Attorney for Plaintiff,
Nancy Drew Suders
301 South High Street
P.O. Box 3231
West Chester, PA 19381-3231
(610) 696-4243
Attorney I.D. No. 18491